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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
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John A Artz Artz & Artz 28333 Telegraph Road Suite 250			EXAMINER		
			SMITH, JAMES G		
Southfield, MI 48034			ART UNIT	PAPER NUMBER	
			3723	3723	
			DATE MAILED: 06/06/2002	DATE MAIL ED: 06/06/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Offic Action Summary Same S. Smith Smith			\mathcal{M}			
Examiner James G. Smith 3723 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Education of time may be available under the provisions of 37 CRF 1.78(e). In on evert, however, may a may be timely filled. If the period for reply is pecified above, the maximum statistery period will apply and will apply a may a may be timely filled. If the Deriod for reply is pecified above, the maximum statistery period will apply and will apply and will apply will be considered timely. If the Deriod for reply is pecified above, the maximum statistery period will apply and will apply and will apply and will apply will be considered timely. If the Deriod for reply is pecified above, the maximum statistery period will apply and will apply and will apply will be considered timely. If the Deriod for reply is pecified above, the maximum statistery period will apply and will	•	Application N .	Applicant(s)			
James G. Smith 3723	Office Action Summan		BRAIN ET AL.			
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Educations of time may be available under the provisions of 37 CFR 1.38(a). In no event, however, may a raphy be timely filled - Education of the first papedied above, the maintain statutory period will apply within the statutory minimum of bility (20) days will be considered timely. - If NO period for reply is specified above, the maintain statutory period will apply and will orgins SLX (6) MONTHS from the maintain glate of this communication or reply period by the Diffe section by the Office acts than three montes after the mailing date of this communication, even if firmely filled, may reduce a may canned patient term adjustment. See 37 CFR 1.784(a). Status 1)						
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time myb eavailable under the provisions of 3 JCR 1.138(a). In no event, however, may a raply be timely filed after SX (6) MONTISE from the mailing date of this communication. It is a standard to reply inspired to the communication of the communic		ears on the cover sheet with the C	correspondence address			
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	Attachment(s)					
3) M Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . 6) U Other:		5) Notice of Informal				

Application/Control Number: 09/868,419

Art Unit: 3723

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "12" has been used to designate both a flat surface in figure 1 and the blade in figure 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Also, in figure 2 the blade 14 is shown with a "V-shaped" notch in the center that is not shown in the other figures for this embodiment.

2. Applicant is required to submit a proposed drawing correction in reply to this

Office action. However, formal correction of the noted defect may be deferred until after
the examiner has considered the proposed drawing correction. Failure to timely submit
the proposed drawing correction will result in the abandonment of the application.

Claim Objections

3. Claims 5-22 and 24-26 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiply dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-22 and 24-26 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claims 2 and (3, 4)/2 are rejected under 35 U.S.C. 112, second paragraph, as 5. being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear as to what claim 2 is meant to be as it merely claims the structure of the fastening member which is not part of the tool as originally disclosed.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claims 1-4 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by either Eisenhauer or Poling.
- 8. Jannke is cited as showing the use of a hollow body to allow for the bolt portion to pass there through.

Pugh, Roberts and Metcalf are cited as showing the use of a guide pin.

Jones, Fry, Bizzell, Mannion et. al. and Kozak et. al. are cited as showing the use of removably attached blades.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G. Smith whose telephone number is 703-308-1746. The examiner can normally be reached on M-Th (7:05- 4:35) first Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 703-308-2687. The fax phone

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numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-305-9835 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

James G. Smith Primary Examiner Art Unit 3723

jgs June 5, 2002